

1 Chief District Judge David G. Estudillo
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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 ALVIN BALUYOT CERVANIA,

Case No. 3:25-cv-05284-DGE

10 Plaintiff,

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

11 v.

12 UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, *et al.*,

Noted for Consideration:
July 18, 2025

13 Defendants.

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15 For good cause, Plaintiff and Defendants, pursuant to Federal Rule of Civil Procedure 6
16 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to continue to stay these
17 proceedings until October 17, 2025. Plaintiff brought this litigation pursuant to the Administrative
18 Procedure Act and Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration
19 Services (“USCIS”) to adjudicate his Form I-485, Application to Register Permanent Residence
20 or Adjust Status. This case is currently stayed through August 2, 2025. Dkt. No.8. The parties
21 are currently working towards a resolution to this litigation.

22 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706
23 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to
24 control the disposition of the causes on its docket with economy of time and effort for itself, for

STIPULATED MOTION FOR ABEYANCE
[Case No. 3:25-cv-05284-DGE] - 1

UNITED STATES ATTORNEY
1201 PACIFIC AVE., STE. 700
TACOMA, WA 98402
(253) 428-3800

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.
2 P. 1.

3 With additional time, this case may be resolved without the need of further judicial
4 intervention. USCIS has issued a Notice of Intention to Revoke (“NOIR”) the approval of
5 Plaintiff’s Form I-360. Plaintiff has until August 17, 2025, to respond to the NOIR. The parties
6 request the stay to be continued to allow time for Plaintiff to submit the response, USCIS’s review
7 of the response, and then continue with the adjudication of Plaintiff’s Form I-485. Once the
8 application is adjudicated, Plaintiff will voluntarily dismiss the case.

9 As additional time is necessary for this to occur, the parties request that the Court hold the
10 case in abeyance until October 17, 2025. The parties will submit a joint status report on or before
11 October 17, 2025.

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STIPULATED MOTION FOR ABEYANCE
[Case No. 3:25-cv-05284-DGE] - 2

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TACOMA, WA 98402
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1 DATED this 18th day of July, 2025.

2 Respectfully submitted,

3 TEAL LUTHY MILLER
4 Acting United States Attorney

5 s/ Michelle R. Lambert
6 MICHELLE R. LAMBERT, NYS #4666657
7 Assistant United States Attorney
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15 *Attorneys for Defendants*

16 *I certify that this memorandum contains
17 287 words, in compliance with the Local
18 Civil Rules.*

19 See PDF for Signature
20

21 ALVIN CERVANIA
22 4935 Switchback Loop SE
23 Lacey, Washington 98513
24 Email: Cervaniaalvin@gmail.com
Pro Se Plaintiff

ORDER

The case is held in abeyance until October 17, 2025. The parties shall submit a joint status report on or before October 17, 2025. The Clerk shall calendar this event. It is so

4 | ORDERED.

DATED this 18th day of July, 2025.


DAVID G. ESTUDILLO
United States Chief District Judge

CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the Western District of Washington and of such age and discretion as to be competent to serve papers.

I further certify on today's date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following CM/ECF participant(s):

- 0 -

I further certify on today's date, I arranged for service of the foregoing on the following non-CM/ECF participant(s), via Certified Mail with return receipt, postage prepaid, addressed as follows:

Alvin Baluyot Cervania, *Pro Se* Plaintiff
4935 Switchback Loop Se
Lacey, WA 98513

DATED this 18th day of July, 2025.

s/ Stephanie Huerta-Ramirez
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